

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 2:19-cv-728-FtM-66MRM

\$126,880 IN U.S. CURRENCY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION OF  
MAGISTRATE JUDGE AND GRANTING CONSENT MOTION FOR  
JUDGMENT OF FORFEITURE**

This matter is before the Court on consideration of the Report and Recommendation (Doc. 52), filed June 23, 2020, recommending that the Consent Motion for Judgment of Forfeiture (Doc. 51) be granted. No objections have been filed. A district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). In the absence of specific objections, a district judge is not required to review the magistrate judge's factual findings de novo, but legal conclusions are reviewed de novo even in the absence of an objection. *Id.*; *Cooper-Houston v. Southern Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994); *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993).

After conducting an independent examination of the file and upon due consideration of the Report and Recommendation, the Court accepts the Report and Recommendation of the magistrate judge. Accordingly, it is now **ORDERED**:

1. The Report and Recommendation (Doc. 52) is hereby **ADOPTED**, and the findings are incorporated herein.

2. The Consent Motion for Judgment of Forfeiture (Doc. 51) is **GRANTED** subject to the terms of the parties' Stipulated Settlement Agreement (Doc. 51-1).

3. \$106,880 is **FORFEITED** by Defendant to the United States of America, pursuant to 21 U.S.C. § 881(a)(6).

4. The United States of America is **DIRECTED** to return \$20,000 to Claimants Quenita Harris and Lorenzo Jovan Brown, collectively, subject to any offset and condition described in the Stipulated Settlement Agreement.

5. All parties are responsible for their own costs and attorneys' fees incurred in this proceeding as set forth in the Stipulated Settlement Agreement. (Doc. 51-1 at 2).

6. This Court shall issue a certificate of reasonable cause to the United States of America in this action, in accordance with 28 U.S.C. § 2465(a)(2), for the \$20,000 returned by the United States to Claimants.

7. The Clerk of Court is directed to **CLOSE THIS CASE**

**DONE** and **ORDERED** at Fort Myers, Florida, this 10th day of July 2020.

A handwritten signature in black ink, reading "John L. Badalamenti". The signature is written in a cursive style with a horizontal line underneath it.

**JOHN L. BADALAMENTI**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record